

IN RE: PETITION FOR VARIANCE
S/S Bay Drive, 772' W of the
c/l of Chesapeake Road
(3517 Bay Drive)
15th Election District
5th Councilmanic District

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-465-A

Mary S. Zamostny, Josephine C. Sokolis,
and Carolyn Bruder, Owners; and *
John V. Goldian, Contract Purchaser

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 3517 Bay Drive, located in the vicinity of Bowleys Quarters Road in Bowleys Quarters. The property is a waterfront lot which fronts on the Chesapeake Bay. The Petition was filed by the owners of the property, Mary S. Zamostny, Josephine C. Sokolis, and Carolyn Bruder, and the Contract Purchaser, John V. Goldian. The Petitioners seek relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 1A04.3.B.1 to permit a lot area of 12,700 sq.ft. in lieu of the required 1.0 acre; from Section 1A04.3.B.3 to permit lot line setbacks of 11 feet in lieu of the minimum required 50 feet; and, from Section 304 to approve the subject property as an under-sized lot. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition was John Goldian, Contract Purchaser of the subject lot. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of .291552 acres, more or less, (or 12,700 sq.ft.) zoned R.C. 5 and is approximately 50 feet wide by 278 feet deep along the northwest

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

property line. The property is improved with a small dwelling, which has existed on the property for many years as a summer cottage, as there is no heat. Mr. Goldian has contracted to buy the property and wishes to develop the site with a new single family dwelling for himself and his family. Due to the narrow width of the lot and its small size, the new dwelling will be constructed over the existing footprint, and thus, maintain existing setbacks. Testimony demonstrated that the new dwelling will not only improve the aesthetic appearance of the subject property but will also increase the value of surrounding homesites. Furthermore, there being no adverse comments from any County reviewing agency, nor any community opposition, it appears that the relief requested should be granted.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay

7/10/96
Bjg

Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and

ORDER RECEIVED FOR FILING

Date

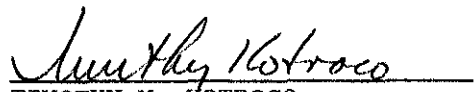
By

public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of July, 1996 that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 1A04.3.B.1 to permit a lot area of 12,700 sq.ft. in lieu of the required 1.0 acre; from Section 1A04.3.B.3 to allow lot line setbacks of 11 feet in lieu of the minimum required 50 feet; and, from Section 304 to approve the subject property as an undersized lot, for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the Zoning Plans Advisory Committee comments submitted by the Development Plans Review Division of the Department of Permits and Development Management, dated June 10, 1996.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management (DEPRM), as set forth in their comments dated June 6, 1996, attached hereto and made a part hereof.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
DATE 7/10/96
BY [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

July 10, 1996

Ms. Mary Zamostny
8621 Silver Knoll Drive
Perry Hall, Maryland 21128

RE: PETITION FOR VARIANCE
S/S Bay Drive, 772' W of the c/l of Chesapeake Road
(3517 Bay Drive)
15th Election District - 5th Councilmanic District
Mary S. Zamostny, Josephine C. Sokolis, and Carolyn Bruder, Owners;
and John V. Goldian, Contract Purchaser - Petitioners
Case No. 96-465-A

Dear Ms. Zamostny:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. John V. Goldian
5712 Williams Road, Hydes, Maryland 21082

Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401

DEPRM; People's Counsel

Case File

MICROFILMED





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

96-465-A

3517 Bay Drive 21220

which is presently zoned

RC5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1 A04.3.B.1, 1 A04.3.B.3, and 304 to permit a lot area of 12,700 sq ft in lieu of 1 acre, lot line setbacks of 11 ft in lieu of 50 ft, and approve an undersized lot as determined by the Zoning Commissioner.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Existing buildable lot with house. House must be replaced because of condition. House will be placed in same location due to existing narrow lot width and existing lot size. We are requesting relief due to RC5 regulations it would be impossible to build a new house and still meet these regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

John V. Goldian

(Type or Print Name)

John V. Goldian

Signature

5712 Williams Rd. 592-9123

Address

Hydes Md. 21082

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

MARY S. ZAMOSTNY

Mary S. Zamostny

JOSEPHINE C. SOKOLIS

(Type or Print Name)

Josephine C. Sokolis

Signature

CAROLYN S. BRUDER

(Type or Print Name)

Carolyn S. Bruder

Signature

8621 SILVER KNOLL DR. 931-1077

Address

Phone No.

PERRY HALL MD 21228

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

MARY S. ZAMOSTNY

Name

8621 SILVER KNOLL DR 931-1449

Address

Phone No.

PERRY HALL, MD 21228

ESTIMATED LENGTH OF HEARING 1 hr

unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: DATE 5/22/96

ORDER RECEIVED FOR FILING

Date 7/10/96 By

Printed with Soybean Ink on Recycled Paper

MICROFILMED

96-465-A

ZONING DESCRIPTION FOR 3517 Bay Drive 21220

Beginning at a point on the south side of Bay Drive which is 25' wide at the distance of 772 feet west of the centerline of the nearest improved intersecting street, Chesapeake Road, which is 30 feet wide. Being Lot #16, in the subdivision of Bowleys Quarter as recorded in Baltimore County Plat Book #7, Folio #78, containing 12,700 ft², also known at 3517 Bay Drive and located in the 15th Election District, 5 Councilmanic District.

463

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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-465-A

District 15th Date of Posting 6/8/96
Posted for: Varonaco
Petitioner: Mary Zimostay Josephine Skolij - Carolyn Bruder - John Goldier
Location of property: 3517 Bay Drive
Location of Signs: Facing road way on property being zoned
Remarks: _____
Posted by: M. J. Kelly Date of return: 6/14/96
Signature
Number of Signs: 1

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 2900

DATE 5/22/96 ACCOUNT 01-615

Lot 10, 41.0
15. - 2000

AMOUNT \$ 850.00

RECEIVED FROM: John V. Goldian - 3517 Bay Drive

710 - Fee Varonaco w/ Interest Lot - \$ 60.00
200 - 15000, 10000 - \$ 250.00
\$ 850.00

FOR: _____

MICROFILMED

156910012MICRRC
15 0010141AMC-22-96

505 60

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

96-465-A

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #96-465-A

(Item 463)

3517 Bay Drive

S/S Bay Drive, 772' W of CI

Chesapeake Road

15th Election District

5th Councilmanic

Legal Owner(s):

Mary S. Zamostny, Josephine C. Sokols, Carolyn S. Bruder

Contract Purchaser:

John V. Goldan

Variance: to permit a lot area

of 12,700 sq. ft. in lieu of 1

acre, lot line setbacks of 11 ft.

in lieu of 50 ft., and approve an

undersized lot as determined

by the Zoning Commissioner.

Hearing: Thursday, June 27,

1996 at 10:30 a.m. in Rm.

118, Old Courthouse.

LAWRENCE E. SCHMIDT

Zoning Commissioner for

Baltimore County

NOTES: (1) Hearings are

Handicapped Accessible; for

special accommodations

Please Call 887-3353.

(2) For information concerning the file and/or Hearing,

Please Call 887-3391.

6/06 June 6 C57307

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/6, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/6, 1996.

THE JEFFERSONIAN,

A. H. Emerson

LEGAL AD. TOWSON

RECORDED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 463 Petitioner: Mary Zamostny
Location: 3517 Bay Drive

PLEASE FORWARD ADVERTISING BILL TO:

NAME: John V Goldian
ADDRESS: 5712 Williams Road
Hydes, MD 21082
PHONE NUMBER: 592-9123

RECEIVED

TO: PUTUXENT PUBLISHING COMPANY
June 6, 1996 Issue - Jeffersonian

Please forward billing to:

John V. Goldian
5712 Williams Road
Hydes, MD 21082
592-9123

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-465-A (Item 463)
3517 Bay Drive
S/S Bay Drive, 772' W of c/l Chesapeake Road
15th Election District - 5th Councilmanic
Legal Owner(s): Mary S. Zamostny, Josephine C. Sokolis, Carolyn S. Bruder
Contract Purchaser: John V. Goldian

Variance to permit a lot area of 12,700 sq. ft. in lieu of 1 acre; lot line setbacks of 11 ft. in lieu of 50 ft.; and approve an undersized lot as determined by the Zoning Commissioner.

HEARING: THURSDAY, JUNE 27, 1996 at 10:30 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 30, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-465-A (Item 463)
3517 Bay Drive
S/S Bay Drive, 772' W of c/l Chesapeake Road
15th Election District - 5th Councilmanic
Legal Owner(s): Mary S. Zamostny, Josephine C. Sokolis, Carolyn S. Bruder
Contract Purchaser: John V. Goldian

Variance to permit a lot area of 12,700 sq. ft. in lieu of 1 acre; lot line setbacks of 11 ft. in lieu of 50 ft.; and approve an undersized lot as determined by the Zoning Commissioner.

HEARING: THURSDAY, JUNE 27, 1996 at 10:30 a.m. in Room 118, Old Courthouse.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Mary S. Zamostny, et al
John V. Goldian

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 20, 1996

Ms. Josephine C. Sokolis and Ms. Carolyn Bruder
8621 Silver Knoll Drive
Perry Hall, MD 21178

RE: Item No.: 463
Case No.: 96-465-A
Petitioner: Josephine Sokolis, et al

Dear Ms. Sokolis and Ms. Bruder:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 22, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director June 6, 1996
Zoning Administration and
Development Management

FROM: Robert A. Wirth *RAW/WMS*
DEPRM

SUBJECT: Zoning Item #463 - Zamostny Property
3517 Bay Drive
Zoning Advisory Committee Meeting of June 3, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Ground Water Management

An evaluation of the septic system must be performed prior to building permit approval. Contact the Ground Water Management Office at 887-2762 to schedule an appointment.

RAW:SA:sp

c: Mary S. Zamostny

ZAMOSTNY/DEPRM/TXTSBP

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: June 10, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for June 10, 1996
Item No. 463

The Development Plans Review Division has reviewed the subject zoning item. In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least one foot over the floodplain elevation in all construction.

RWB:HJO:jrb

cc: File

ZONE12B

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 05/20/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JUNE 03, 1996

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 460, 462, 463, 464, 465, 466,
468, 469 AND 470.

- 5 1996

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

RECEIVED
MAY 22 1996



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

6-4-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 463 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: June 11, 1996

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item No. 458, 460, 462, 463, 464, 465, 466, 468 and 470

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Kerns

PK/JL

PETITION PROBLEMS

#461 --- MJK

1. No telephone number for legal owner.

#462 --- JLL

1. No review information on bottom of petition form.

#463 --- MJK

1. Undersized lot information not in folder (only 1 copy of form).

#464 --- JRF

1. No zoning on folder.
2. No acreage on folder.
3. No election district on folder.
4. No councilmanic district on folder.
5. Old petition form was used - no address or zoning on form.

#466 --- CAM

1. No review information on bottom of variance petition.
2. Wording on special hearing petition is incomplete.

#467 --- JJS

1. No review information on bottom of petition form.
2. Petition says zoning is "BR"; folder says zoning is "BR-CSA & BR-CCC".

#470 --- CAM

1. No review information on bottom of petition form.
2. No item number on petition form.

RE: PETITION FOR VARIANCE
3517 Bay Drive, S/S Bay Drive, 772' W
of c/l Chesapeake Road, 15th Election
District, 5th Councilmanic

Legal Owner(s): Mary S. Zamostny, et al.
Contract Purchaser: John V. Goldian
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-465-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.



PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to Mary S. Zamostny, 8621 Silver Knoll Drive, Perry Hall, MD 21128, representative for Petitioners.



PETER MAX ZIMMERMAN

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

TO: Director, Office of Planning & Community Conservation
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

FROM: Arnold Jablon, Director, Department of Permits & Development Management

B _____
Permit Number

RE: **Undersized Lots**

Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ **John V. Goldian** 5712 Williams Rd., Hydes, Md 21082 410-592-9123
Print Name of Applicant Address Telephone Number

☐ Lot Address 3517 Bay Drive Election District 15 Council District 5 Square Feet 12,700

Lot Location: N E SW side/corner of Bay Drive .772 feet from N E SW corner of Chesapeake Road.
(street) (street)

Land Owner Mary S. Zamostny
Josephine C. Sokalis / Caroline S. Bruder Tax Account Number 1512590010

Address 8621 Silver Knoll Dr Telephone Number 931-1007
Perry Hall Md. 931-1949

☐ **CHECKLIST OF MATERIALS:** to be submitted for design review by the Office of Planning & Community Conservation

PROVIDED?

	YES	NO
1. This Recommendation Form (3 copies)	<u>/</u>	<u> </u>
2. Permit Application	<u> </u> <i>in process</i>	<u>/</u>
3. Site Plan	<u>/</u>	<u> </u>
✓ Property (3 copies)	<u>/</u>	<u> </u>
Topo Map (available in Rm 206 C.O.B.) (2 copies) (please label site clearly)	<u>/</u>	<u> </u>
4. Building Elevation Drawings	<u> </u> <i>in process</i>	<u>/</u>
5. Photographs (please label all photos clearly)	<u>/</u>	<u> </u>
Adjoining Buildings	<u>/</u>	<u> </u>
Surrounding Neighborhood	<u>/</u>	<u> </u>

Residential Processing Fee Paid
Codes 030 & 080 (\$85)

Accepted by _____
ZADM

Date _____

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

☒ **Approval** ☐ **Disapproval** ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

MICROFILMED

Signed by: Ervin McDaniel
for the Director, Office of Planning & Community Conservation

Date: May 31, 1996

INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM

#463

TO: Director, Office of Planning & Community Conservation
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

B Permit Number

FROM: Arnold Jablon, Director, Department of Permits & Development Management

RE: Undersized Lots

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ John V. Goldian 5712 Williams Rd., Hydes, Md 21082 410-592-9123
Print Name of Applicant Address Telephone Number

☐ Lot Address 3517 Bay Drive Election District 15 Council District 5 Square Feet 12,700
Lot Location: N E SW / side / corner of Bay Drive .772 feet from N E SW corner of Chesapeake Road.
(street) (street)
Land Owner Mary S. Zamostny
Josephine C. Sokolis / Caroline S. Bruder Tax Account Number 1512590010
Address 8621 Silver Knoll Dr Telephone Number 931-1007
Perry Hall Md. 931-1949

☐ CHECKLIST OF MATERIALS: to be submitted for design review by the Office of Planning & Community Conservation

	PROVIDED?		
	YES	NO	
1. This Recommendation Form (3 copies)	<u>/</u>	<u>/</u>	<div style="border: 1px dashed black; padding: 5px;"> Residential Processing Fee Paid Codes 030 & 080 (\$85) Accepted by <u>WJK</u> ZADM Date <u>5/22/96</u> </div>
2. Permit Application	<u>/</u> in process	<u>/</u>	
3. Site Plan	<u>/</u>	<u>/</u>	
✓ Property (3 copies)	<u>/</u>	<u>/</u>	
Topo Map (available in Rm 204 C.O.B.) (2 copies) (please label site clearly)	<u>/</u>	<u>/</u>	
4. Building Elevation Drawings	<u>/</u> in process	<u>/</u>	<u>All into</u> <u>in Planning</u> <u>file</u>
5. Photographs (please label all photos clearly)	<u>/</u>	<u>/</u>	
Adjoining Buildings	<u>/</u>	<u>/</u>	
Surrounding Neighborhood	<u>/</u>	<u>/</u>	

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

☐ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

MICROFILMED

Signed by: _____
for the Director, Office of Planning & Community Conservation

Date:

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted
for filing by _____ on _____ Date (A)

A sign indicating the proposed Building must be posted on the property for
fifteen (15) days before a decision can be rendered. The cost of filing is
\$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period,
a decision can be expected within approximately four weeks. However, if a valid
demand is received by the closing date, then the decision shall only be rendered
after the required public special hearing.

*SUGGESTED POSTING DATE _____ D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES _____ NO _____ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) _____ C (B-3 Work Days)

TENTATIVE DECISION DATE _____ B (A + 30 Days)

*Usually within 15 days of filing

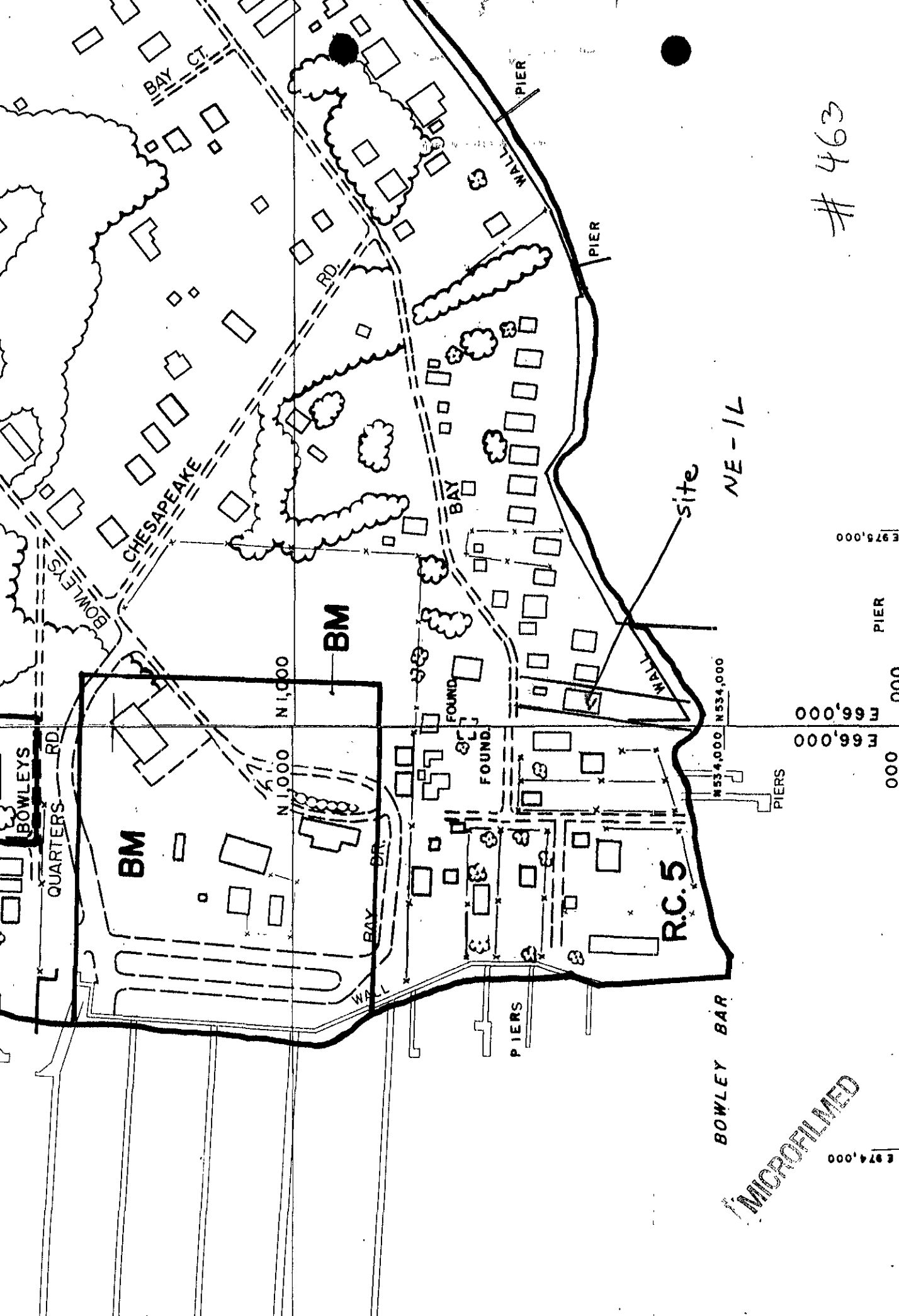
CERTIFICATE OF POSTING

District _____

Location of property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____



<div data-bbox="1429 0 1591 2100" data-label="Text"> <p>96-465-A</p> </div>	<div data-bbox="1429 0 1591 2100" data-label="Text"> <p># 463</p> </div>	<div data-bbox="1429 0 1591 2100" data-label="Text"> <p>NE - 1/L</p> </div>	<div data-bbox="1429 0 1591 2100" data-label="Text"> <p>site</p> </div>	<div data-bbox="1429 0 1591 2100" data-label="Text"> <p>PIER</p> </div>	<div data-bbox="1429 0 1591 2100" data-label="Text"> <p>PIERS</p> </div>	<div data-bbox="1429 0 1591 2100" data-label="Text"> <p>FOUND</p> </div>	<div data-bbox="1429 0 1591 2100" data-label="Text"> <p>FOUND</p> </div>	<div data-bbox="1429 0 1591 2100" data-label="Text"> <p>RC.5</p> </div>	<div data-bbox="1429 0 1591 2100" data-label="Text"> <p>BM</p> </div>	<div data-bbox="1429 0 1591 2100" data-label="Text"> <p>CHESAPEAKE</p> </div>	<div data-bbox="1429 0 1591 2100" data-label="Text"> <p>BOWLEY'S</p> </div>	<div data-bbox="1429 0 1591 2100" data-label="Text"> <p>QUARTERS</p> </div>	<div data-bbox="1429 0 1591 2100" 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96-465-A



Lot #16. Front
view (from water)



Lot #14. Taken
from bay drive

7 panoramic
series.

MICROFILMED

96-465-A

Kodak *ds*
digital science™

DEMO

8 panoramic
series, lot # 17
front view (from
water) at lot # 16

9 panoramic series

4 panoramic series

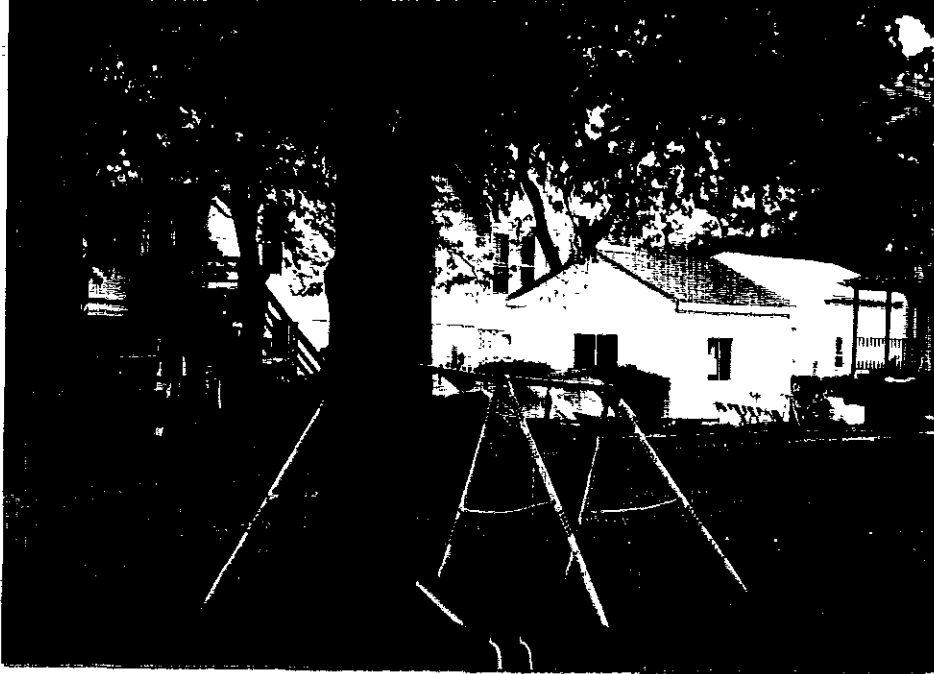
MICROFILMED

96-465-A

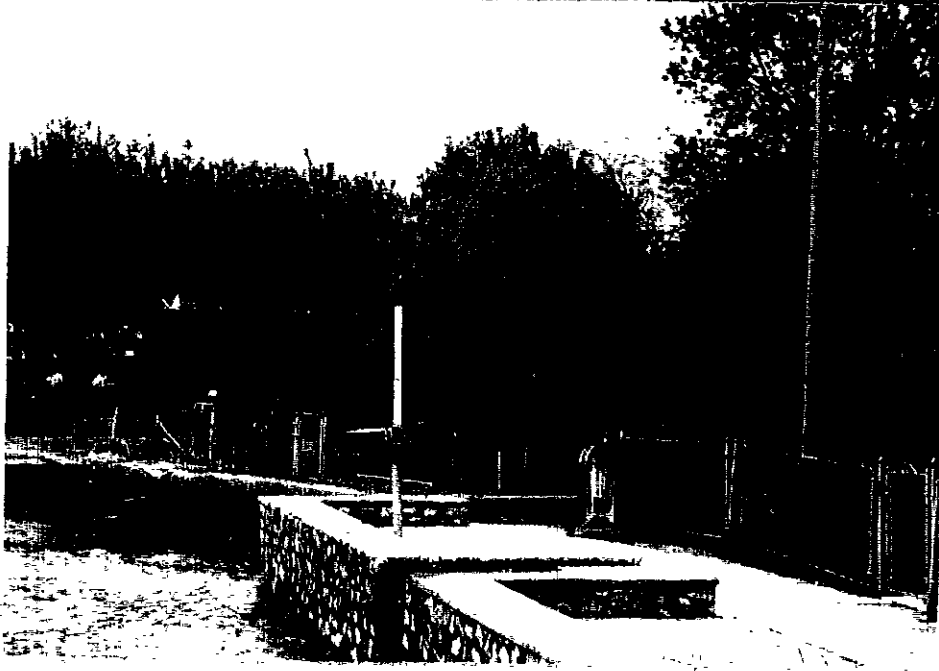
6 Panoramia Series



5 Panoramia Series



2 Panoramia
Series



MICROFILMED

1 panoramic
series Top of
Bowley's Point

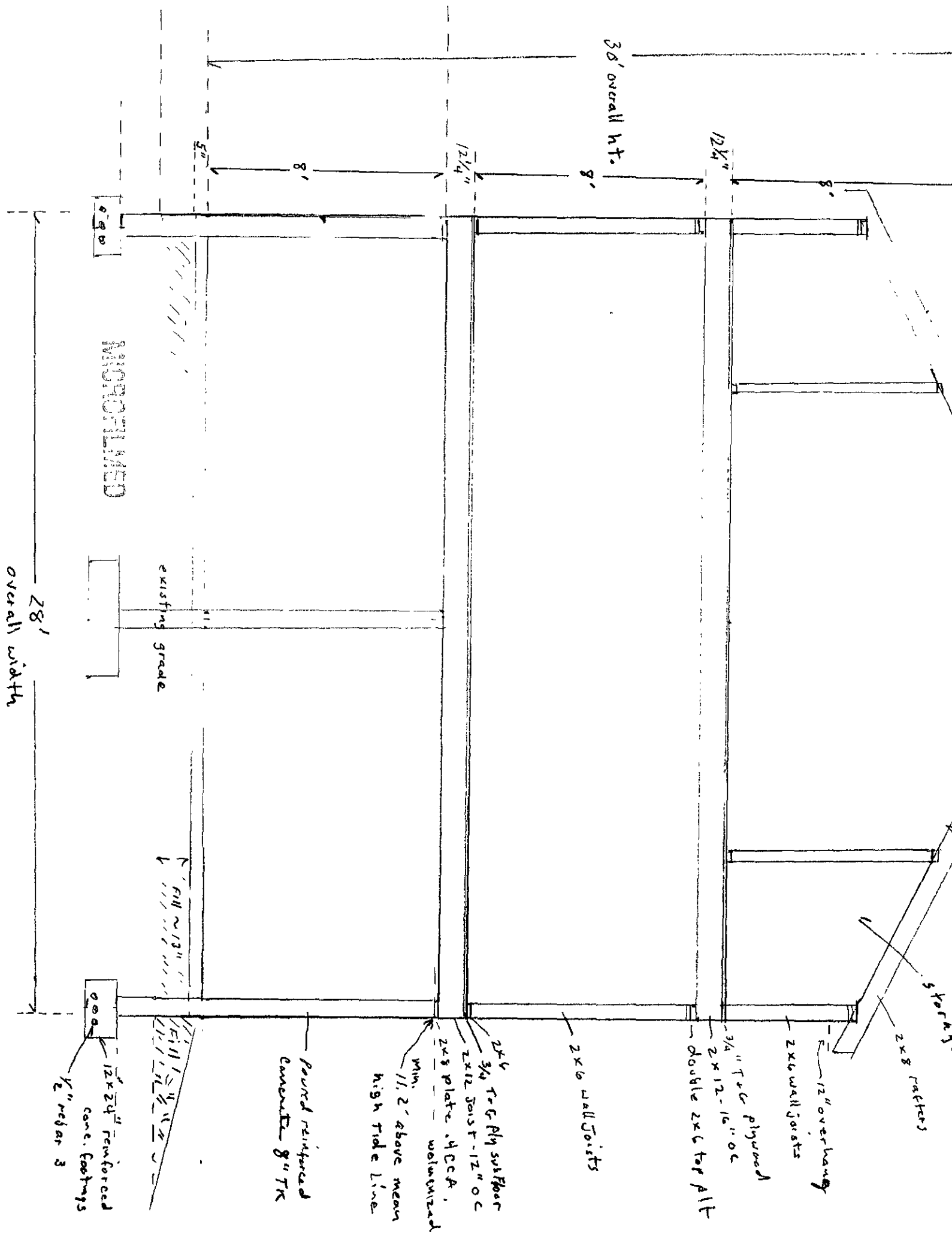


3 panoramic
series.



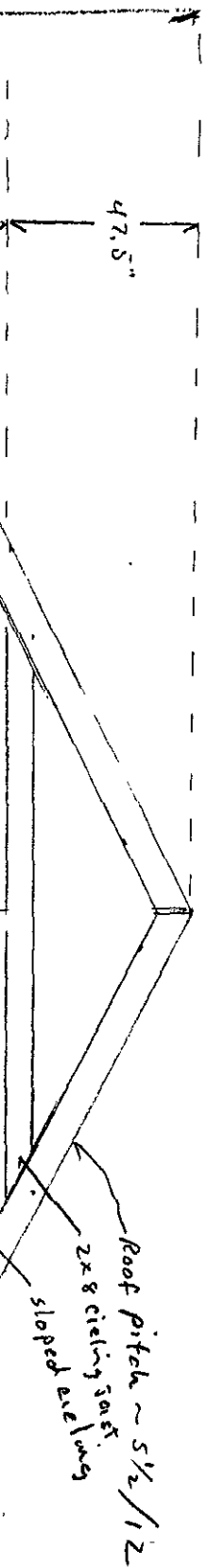
10 panoramic
series, lots 18,
19, 20, 21

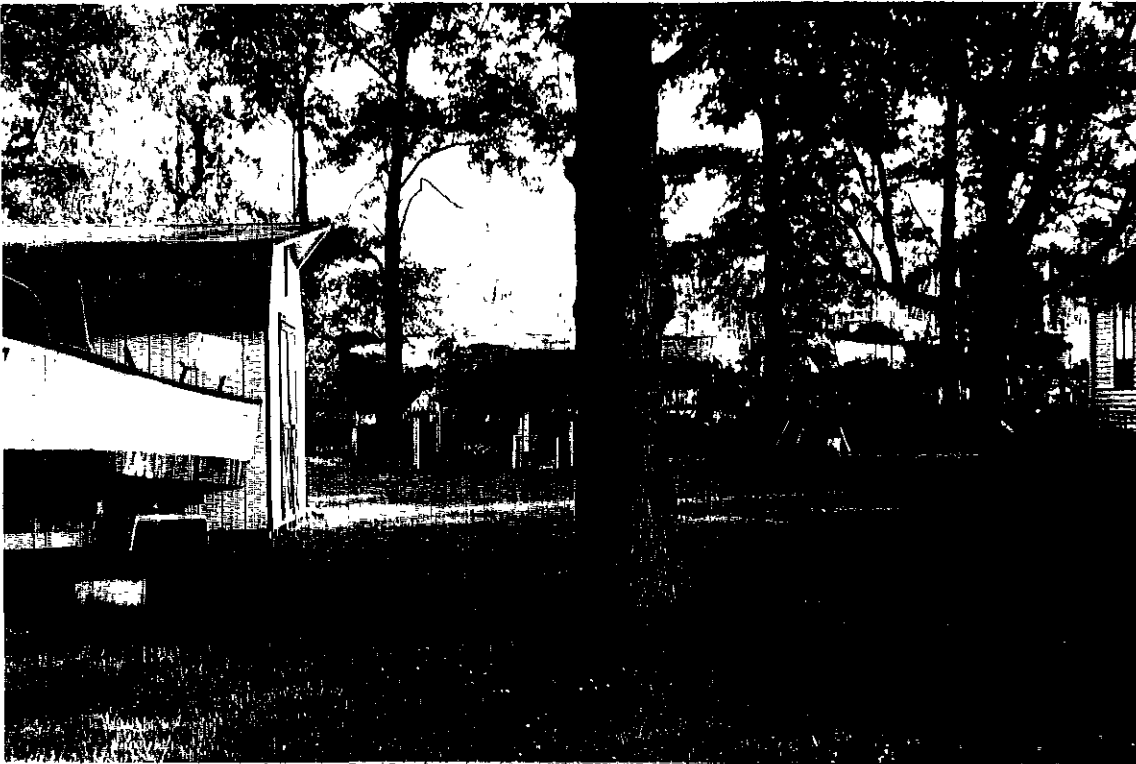




Typical Building Elevation Drawing
for 3517 Bay Drive
scale 1/4" = 1 ft

96-465-A





lot # 33
from Bay
Drive - vacant
except for
small shed



From center of
Bay Drive @
lot # 16, looking
West



from center of
Bay Drive
@ lot # 16
looking East



lot 431

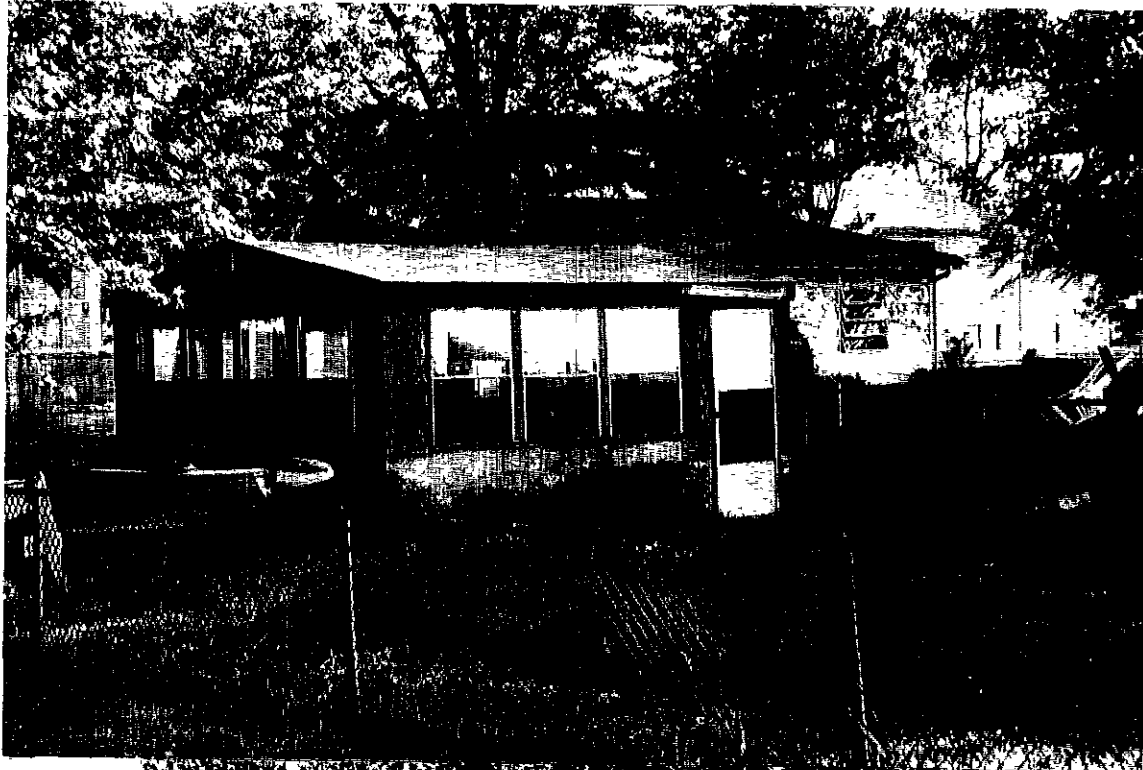


lot #16
from center
of Bay Drive

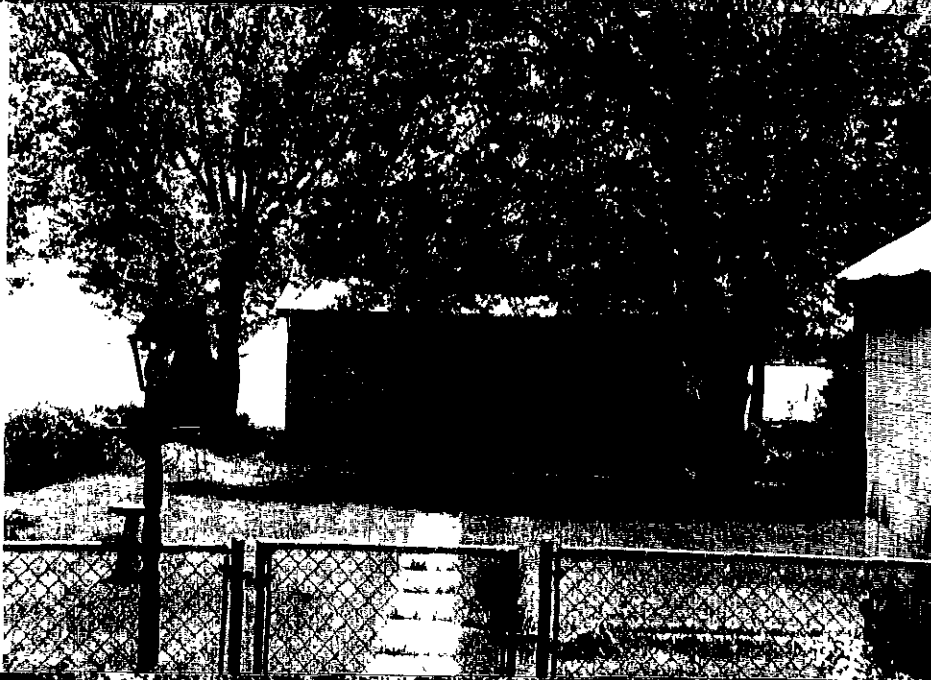


lot 15 from
Bay Drive

96-465-A



structure in
part of lot
#17, approx.
20' x 20'



lot 21



lot 20

MICROFILMED

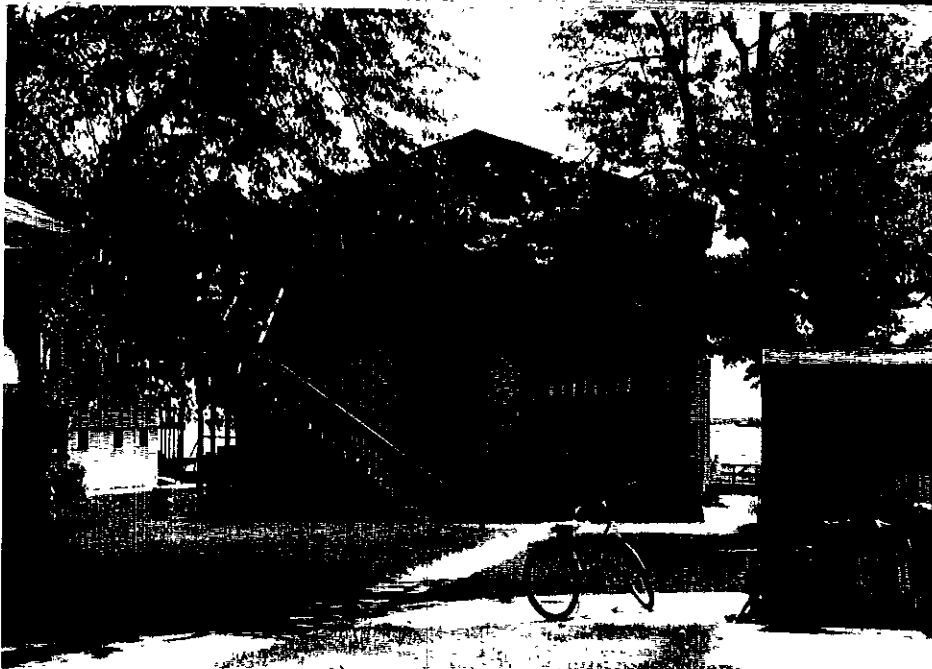
96-465-A



lot 22



lot 24



lot 25

MICROFILMED

96-465-A



lot 23

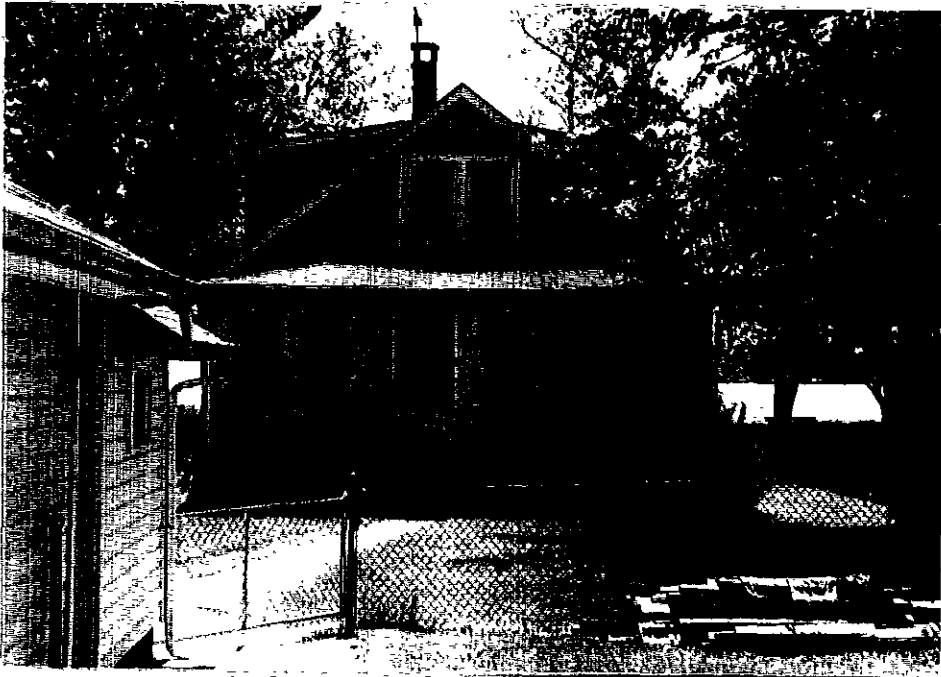


lot 26



view from end
Bay Dr. toward
lot #18

MICROFILMED



lot #17



lot #19



lot #18

96-465-A



lot #134
from Bay Drive



lot #13
taken from Bay
Drive



lot 4

MICROFILMED

96-465-A



Between #4 and
#5



lot #5



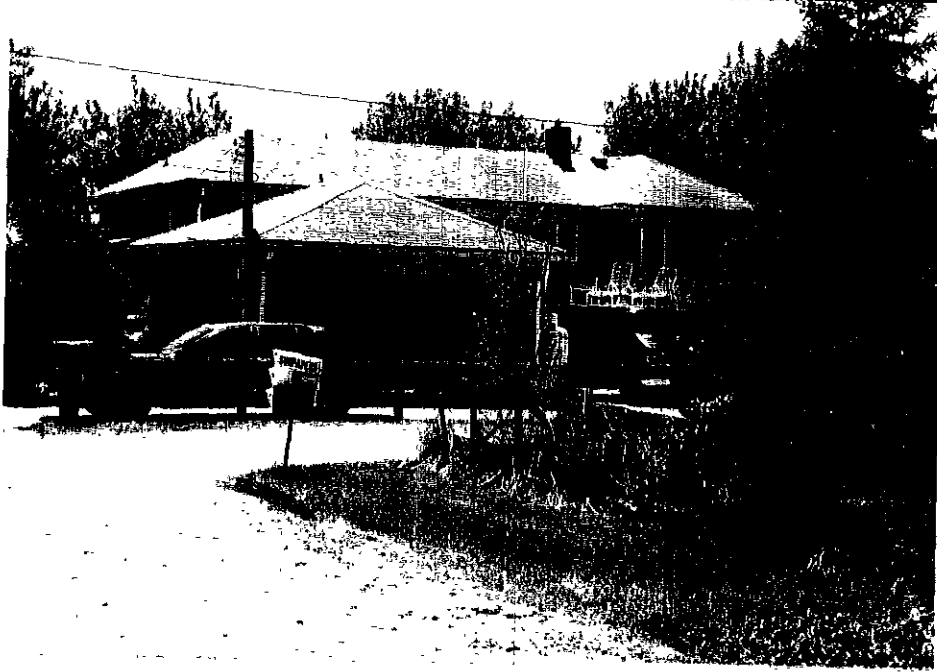
lot 10

MICROFILMED

96-465-A

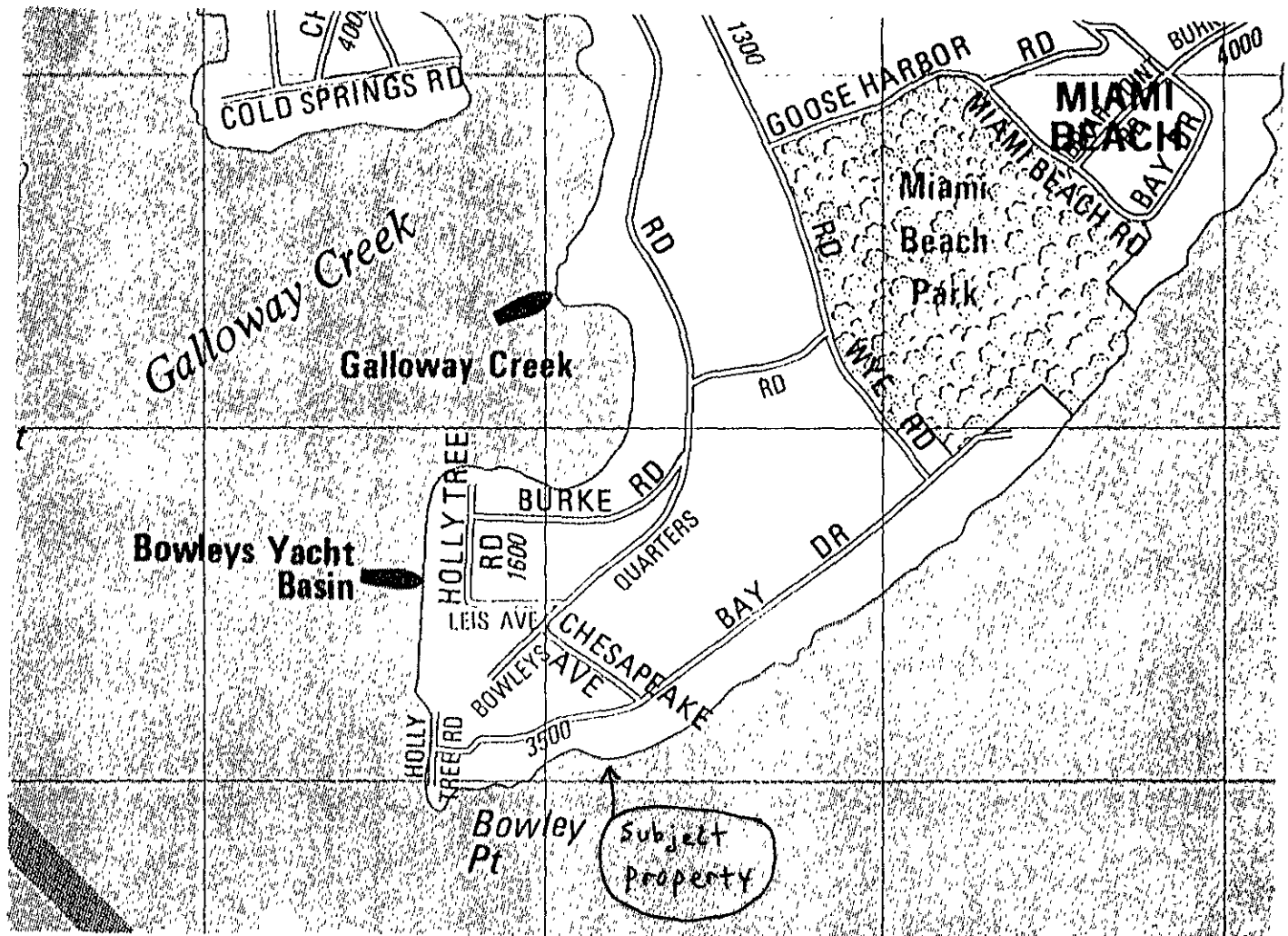


lot # 16 from Day
Drive. (Taken at
an angle because of
trees obstructing
view.



lot # 12

MICROFILMED



North

Vicinity Map

scale: 1" = 1000'

PETITIONER'S EXHIBIT 1

LOCATION INFORMATION

Councilmanic District	5
Election District	15
1" = 200' scale Map	NE-1/L
Zoning	RC5
Lot Size	.291552
Acreage	12,700 square feet

	Public	Private
SEWER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
WATER	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Chesapeake Bay Critical Area ☒ yes ☐ no

Prior Zoning Hearings: NONE

Zoning Office Use Only

reviewed by:
mk

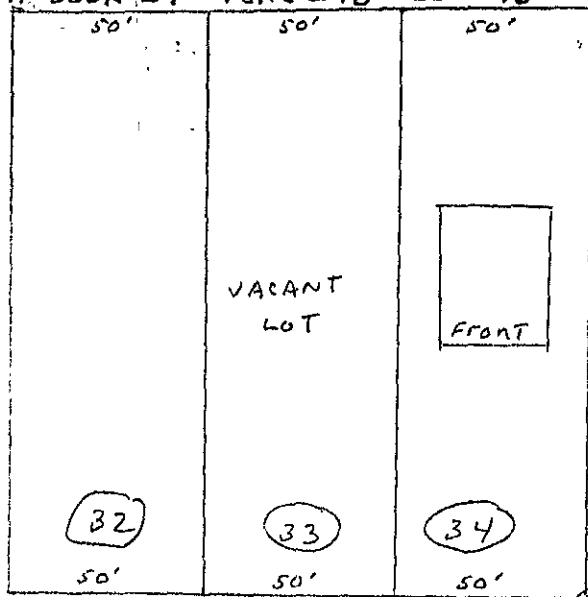
ITEM #
5/22/91

CASE # 1000000000

Plan to accompany Petition for Zoning Variance

PROPERTY ADDRESS: 3517 Bay Drive

Plat Book #7 - Folio #78 - Lot #16

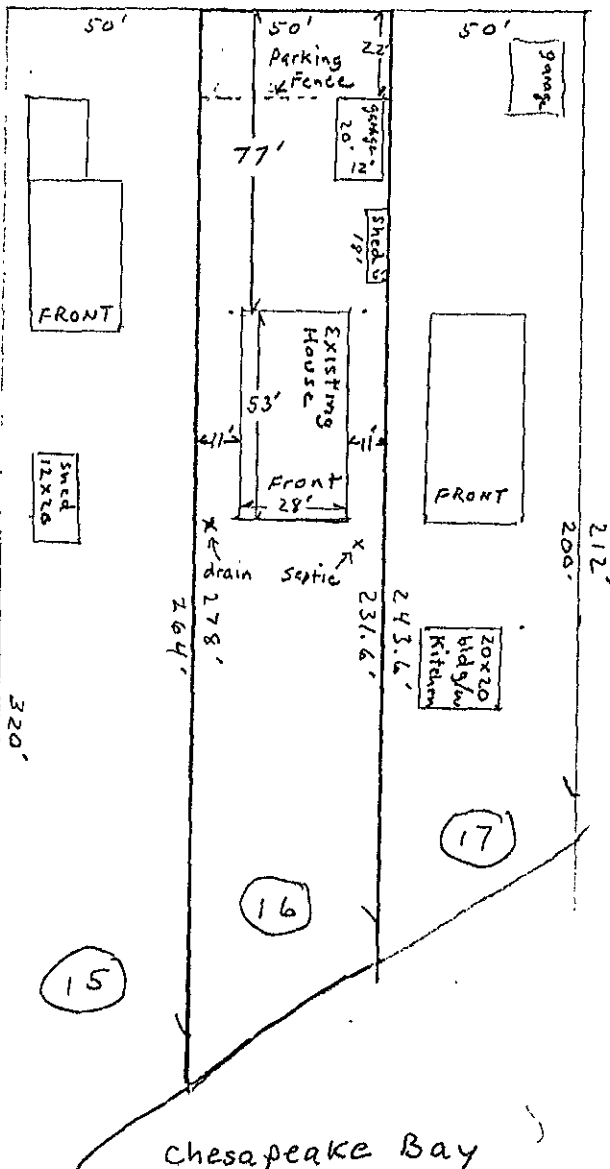


BAY DRIVE 25' R/W 25' Paved

owners of adjacent properties

Lot #32 John H Schwartz Jr
Hilda M Schwartz
3528 Bay Dr 21220
10774/20#1502652730

Lot 33+34 George W. Clampet
Darryl Clampet
2422 Winters Run Rd,
Joppa, Md 21085
7883/361 #1512202530



Lot 15 Millard F Humphreys
Barbara Ann Humphreys
3515 Bay Drive 21220
7524/524 #1508800900

Lot 16 Anthony Zamostny
Mary S. Zamostny et. al.
8621 Silver Knoll Dr.
Penny Hall 21128
5284/371 #1512590010

Lot 17 Helen A Gesswein
1521 Norman Ave
Lutherville, Md 21093
5610/923 #1507150440

date 5/20/96

Prepared by J. Goldian Scale of drawing 1"=50'

Chesapeake Bay

Testimony and evidence offered revealed that the subject property consists of .291552 acres, more or less, (or 12,700 sq.ft.) zoned R.C. 5 and is approximately 50 feet wide by 278 feet deep along the northwest

property line. The property is improved with a small dwelling, which has existed on the property for many years as a summer cottage, as there is no heat. Mr. Goldian has contracted to buy the property and wishes to develop the site with a new single family dwelling for himself and his family. Due to the narrow width of the lot and its small size, the new dwelling will be constructed over the existing footprint, and thus, maintain existing setbacks. Testimony demonstrated that the new dwelling will not only improve the aesthetic appearance of the subject property but will also increase the value of surrounding homesites. Furthermore, there being no adverse comments from any County reviewing agency, nor any community opposition, it appears that the relief requested should be granted.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay

■ 3

Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chsapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and

UNDERA RECEIVED FOR FILING
Date 7/19/96
By [Signature]

3

public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of July, 1996 that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 1A04.3.B.1 to permit a lot area of 12,760 sq.ft. in lieu of the required 10 acres; from Section 1A04.3.B.3 to allow lot line setbacks of 11 feet in lieu of the minimum required 50 feet; and, from Section 304 to approve the subject property as an undersized lot, for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:


- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the Zoning Plans Advisory Committee comments submitted by the Development Plans Review Division of the Department of Permits and Development Management, dated June 10, 1996.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management (DEPRM), as set forth in their comments dated June 6, 1996, attached hereto and made a part hereof.

Timothy Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

July 10, 1996

(410) 887-4386

Ms. Mary Zamostny
8621 Silver Knoll Drive
Perry Hall, Maryland 21128

RE: PETITION FOR VARIANCE
S/8 Bay Drive, 772' W of the c/l of Chesapeake Road
(3517 Bay Drive)
15th Election District - 5th Councilmanic District
Mary S. Zamostny, Josephine C. Sokolis, and Carolyn Bruder, Owners;
and John V. Goldian, Contract Purchaser - Petitioners
Case No. 96-465-A

Dear Ms. Zamostny:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 867-3391.

Very truly yours,

Timothy Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bis

cc: Mr. John V. Goldian
5712 Williams Road, Hydes, Maryland 21082

Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Maryland 21401

DEPRM; People's Counsel

Case File

CRITICAL AREA *2/6/82*

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3517 Bay Drive *21228*
96-465-A which is presently zoned RCS

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned legal owner of the property situated in Baltimore County and within the Critical Area and attached
1.0A, 3.1, 1.0A1, 3.2, 3.1, 1.0A2, 3.3, 3.1, 1.0A3, 3.4, 3.1, 1.0A4, 3.5, 3.1, 1.0A5, 3.6, 3.1, 1.0A6, 3.7, 3.1, 1.0A7, 3.8, 3.1, 1.0A8, 3.9, 3.1, 1.0A9, 4.0, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 5.0, 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 6.0, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 6.9, 7.0, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 8.0, 8.1, 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, 8.8, 8.9, 9.0, 9.1, 9.2, 9.3, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9, 10.0, 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 10.7, 10.8, 10.9, 11.0, 11.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 11.9, 12.0, 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8, 12.9, 13.0, 13.1, 13.2, 13.3, 13.4, 13.5, 13.6, 13.7, 13.8, 13.9, 14.0, 14.1, 14.2, 14.3, 14.4, 14.5, 14.6, 14.7, 14.8, 14.9, 15.0, 15.1, 15.2, 15.3, 15.4, 15.5, 15.6, 15.7, 15.8, 15.9, 16.0, 16.1, 16.2, 16.3, 16.4, 16.5, 16.6, 16.7, 16.8, 16.9, 17.0, 17.1, 17.2, 17.3, 17.4, 17.5, 17.6, 17.7, 17.8, 17.9, 18.0, 18.1, 18.2, 18.3, 18.4, 18.5, 18.6, 18.7, 18.8, 18.9, 19.0, 19.1, 19.2, 19.3, 19.4, 19.5, 19.6, 19.7, 19.8, 19.9, 20.0, 20.1, 20.2, 20.3, 20.4, 20.5, 20.6, 20.7, 20.8, 20.9, 21.0, 21.1, 21.2, 21.3, 21.4, 21.5, 21.6, 21.7, 21.8, 21.9, 22.0, 22.1, 22.2, 22.3, 22.4, 22.5, 22.6, 22.7, 22.8, 22.9, 23.0, 23.1, 23.2, 23.3, 23.4, 23.5, 23.6, 23.7, 23.8, 23.9, 24.0, 24.1, 24.2, 24.3, 24.4, 24.5, 24.6, 24.7, 24.8, 24.9, 25.0, 25.1, 25.2, 25.3, 25.4, 25.5, 25.6, 25.7, 25.8, 25.9, 26.0, 26.1, 26.2, 26.3, 26.4, 26.5, 26.6, 26.7, 26.8, 26.9, 27.0, 27.1, 27.2, 27.3, 27.4, 27.5, 27.6, 27.7, 27.8, 27.9, 28.0, 28.1, 28.2, 28.3, 28.4, 28.5, 28.6, 28.7, 28.8, 28.9, 29.0, 29.1, 29.2, 29.3, 29.4, 29.5, 29.6, 29.7, 29.8, 29.9, 30.0, 30.1, 30.2, 30.3, 30.4, 30.5, 30.6, 30.7, 30.8, 30.9, 31.0, 31.1, 31.2, 31.3, 31.4, 31.5, 31.6, 31.7, 31.8, 31.9, 32.0, 32.1, 32.2, 32.3, 32.4, 32.5, 32.6, 32.7, 32.8, 32.9, 33.0, 33.1, 33.2, 33.3, 33.4, 33.5, 33.6, 33.7, 33.8, 33.9, 34.0, 34.1, 34.2, 34.3, 34.4, 34.5, 34.6, 34.7, 34.8, 34.9, 35.0, 35.1, 35.2, 35.3, 35.4, 35.5, 35.6, 35.7, 35.8, 35.9, 36.0, 36.1, 36.2, 36.3, 36.4, 36.5, 36.6, 36.7, 36.8, 36.9, 37.0, 37.1, 37.2, 37.3, 37.4, 37.5, 37.6, 37.7, 37.8, 37.9, 38.0, 38.1, 38.2, 38.3, 38.4, 38.5, 38.6, 38.7, 38.8, 38.9, 39.0, 39.1, 39.2, 39.3, 39.4, 39.5, 39.6, 39.7, 39.8, 39.9, 40.0, 40.1, 40.2, 40.3, 40.4, 40.5, 40.6, 40.7, 40.8, 40.9, 41.0, 41.1, 41.2, 41.3, 41.4, 41.5, 41.6, 41.7, 41.8, 41.9, 42.0, 42.1, 42.2, 42.3, 42.4, 42.5, 42.6, 42.7, 42.8, 42.9, 43.0, 43.1, 43.2, 43.3, 43.4, 43.5, 43.6, 43.7, 43.8, 43.9, 44.0, 44.1, 44.2, 44.3, 44.4, 44.5, 44.6, 44.7, 44.8, 44.9, 45.0, 45.1, 45.2, 45.3, 45.4, 45.5, 45.6, 45.7, 45.8, 45.9, 46.0, 46.1, 46.2, 46.3, 46.4, 46.5, 46.6, 46.7, 46.8, 46.9, 47.0, 47.1, 47.2, 47.3, 47.4, 47.5, 47.6, 47.7, 47.8, 47.9, 48.0, 48.1, 48.2, 48.3, 48.4, 48.5, 48.6, 48.7, 48.8, 48.9, 49.0, 49.1, 49.2, 49.3, 49.4, 49.5, 49.6, 49.7, 49.8, 49.9, 50.0, 50.1, 50.2, 50.3, 50.4, 50.5, 50.6, 50.7, 50.8, 50.9, 51.0, 51.1, 51.2, 51.3, 51.4, 51.5, 51.6, 51.7, 51.8, 51.9, 52.0, 52.1, 52.2, 52.3, 52.4, 52.5, 52.6, 52.7, 52.8, 52.9, 53.0, 53.1, 53.2, 53.3, 53.4, 53.5, 53.6, 53.7, 53.8, 53.9, 54.0, 54.1, 54.2, 54.3, 54.4, 54.5, 54.6, 54.7, 54.8, 54.9, 55.0, 55.1, 55.2, 55.3, 55.4, 55.5, 55.6, 55.7, 55.8, 55.9, 56.0, 56.1, 56.2, 56.3, 56.4, 56.5, 56.6, 56.7, 56.8, 56.9, 57.0, 57.1, 57.2, 57.3, 57.4, 57.5, 57.6, 57.7, 57.8, 57.9, 58.0, 58.1, 58.2, 58.3, 58.4, 58.5, 58.6, 58.7, 58.8, 58.9, 59.0, 59.1, 59.2, 59.3, 59.4, 59.5, 59.6, 59.7, 59.8, 59.9, 60.0, 60.1, 60.2, 60.3, 60.4, 60.5, 60.6, 60.7, 60.8, 60.9, 61.0, 61.1, 61.2, 61.3, 61.4, 61.5, 61.6, 61.7, 61.8, 61.9, 62.0, 62.1, 62.2, 62.3, 62.4, 62.5, 62.6, 62.7, 62.8, 62.9, 63.0, 63.1, 63.2, 63.3, 63.4, 63.5, 63.6, 63.7, 63.8, 63.9, 64.0, 64.1, 64.2, 64.3, 64.4, 64.5, 64.6, 64.7, 64.8, 64.9, 65.0, 65.1, 65.2, 65.3, 65.4, 65.5, 65.6, 65.7, 65.8, 65.9, 66.0, 66.1, 66.2, 66.3, 66.4, 66.5, 66.6, 66.7, 66.8, 66.9, 67.0, 67.1, 67.2, 67.3, 67.4, 67.5, 67.6, 67.7, 67.8, 67.9, 68.

[illegible]

ZONING DESCRIPTION FOR 3517 Bay Drive 21220

Beginning at a point on the south side of Bay Drive which is 25' wide at the distance of 772 feet west of the centerline of the nearest improved intersecting street, Chesapeake Road, which is 30 feet wide. Being Lot #16, in the subdivision of Bowleys Quarter as recorded in Baltimore County Plat Book #7, Folio #78, containing 12,700 ft², also known as 3517 Bay Drive and located in the 15th Blaection District, 5 Councilmanic District.

96-465-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 1586 Date of Posting 8-8-42
 Posted for: W. H. Jones
 Position: Asst. Secy., Finance Secy., General Secy. - John G. Jones
 Location of property: 3077 Ave. D-12
 Location of Sign: Finance Secy. 1586 on private time record
 Remarks:
 Posted by: M. H. Jones Date of return: 8/1/46
 Number of Signs: Signature

CERTIFICATE OF PUBLICATION

TOWSON, MD.. 6/6 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/16, 1996.

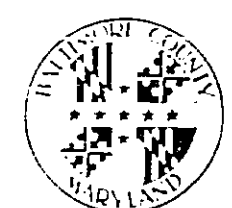
THE JEFFERSONIAN.

U. H. Emberson
LEGAL AD. - TOWSON

[illegible]

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 5/22/96 ACCOUNT: 01-615
ITEM: 463 AMOUNT: 86.00
RECEIVED: John V. Goldian - 3517 Bay Drive
FROM: John V. Goldian - 3517 Bay Drive
FOR: 3517 Bay Drive
VALIDATION OR SIGNATURE OF CASHIER
96-465-A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 463 Petitioner: Mary Zamostny

Location: 3517 Bay Drive

PLEASE FORWARD ADVERTISING BILL TO:

NAME: John V. Goldian

ADDRESS: 5712 Williams Road

Hydes, MD 21202

PHONE NUMBER: 572-9123

TO: POTENTIAL PUBLISHING COMPANY
June 4, 1996 Issue - Jeffersonian

Please forward billing to:

John V. Goldian
5712 Williams Road
Hydes, MD 21082
592-9123

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-465-A (Item 463)

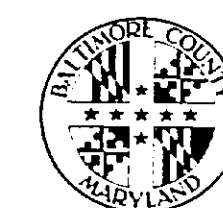
3517 Bay Drive
S/S Bay Drive, 772' W of c/l Chesapeake Road
15th Election District - 5th Councilmanic
Legal Owner(s): Mary S. Zamostny, Josephine C. Sokolis, Carolyn S. Bruder
Contract Purchaser: John V. Goldian

Variance to permit a lot area of 12,700 sq. ft. in lieu of 1 acre; lot line setbacks of 11 ft. in lieu of 50 ft.; and approve an undersized lot as determined by the Zoning Commissioner.

HEARING: THURSDAY, JUNE 27, 1996 at 10:30 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SOMLEY
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEADINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 30, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-465-A (Item 463)

3517 Bay Drive
S/S Bay Drive, 772' W of c/l Chesapeake Road
15th Election District - 5th Councilmanic
Legal Owner(s): Mary S. Zamostny, Josephine C. Sokolis, Carolyn S. Bruder
Contract Purchaser: John V. Goldian

Variance to permit a lot area of 12,700 sq. ft. in lieu of 1 acre; lot line setbacks of 11 ft. in lieu of 50 ft.; and approve an undersized lot as determined by the Zoning Commissioner.

HEARING: THURSDAY, JUNE 27, 1996 at 10:30 a.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: Mary S. Zamostny, et al
John V. Goldian

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEADINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 20, 1996

Ms. Josephine C. Sokolis and Ms. Carolyn Bruder
8621 Silver Knoll Drive
Perry Hall, MD 21178

RE: Item No.: 463
Case No.: 96-465-A
Petitioner: Josephine Sokolis, et al

Dear Ms. Sokolis and Ms. Bruder:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 22, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Bubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCB/re
Attachment(s)

**BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE**

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

June 6, 1996

FROM: Robert A. Wirth/RAW/ptb
DEPRM

SUBJECT: Zoning Item #463 - Zamostny Property
3517 Bay Drive
Zoning Advisory Committee Meeting of June 3, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

Ground Water Management

An evaluation of the septic system must be performed prior to building permit approval. Contact the Ground Water Management Office at 887-2762 to schedule an appointment.

RAW:SA:sp

c: Mary S. Zamostny

ZAMOSTNY/DEPRM/TXTSPB

**BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: June 10, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for June 10, 1996
Item No. 463

The Development Plans Review Division has reviewed the subject zoning item. In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least one foot over the floodplain elevation in all construction.

RWB:HJO:trb

cc: File

ZONE12B

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 05/20/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1103

RE: Property Owner: SEE BELOW
Location: DISTRIBUTION MEETING OF JUNE 03, 1996

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 460, 462, 463, 464, 465, 466, 468, 469 AND 470.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

RE: Baltimore County
Item No. 462

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: June 11, 1996

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):
Item No. 458, 460, 462, 463, 464, 465, 466, 468 and 470

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Division Chief: *Charles L. Kenna*

PK/JL.

ITEM458/PZONE/TYT.TWL.

PETITION PROBLEMS

1. No telephone number for legal owner.

1. No review information on bottom of petition form.

1. Undersized lot information not in folder (only 1 copy of form).

1. No zoning on folder.
2. No acreage on folder.
3. No election district on folder.
4. No councilmanic district on folder.
5. Old petition form was used - no address or zoning on form.

1. No review information on bottom of variance petition.
2. Wording on special hearing petition is incomplete.

1. No review information on bottom of petition form.
2. Petition says zoning is "BR"; folder says zoning is "BR-CSA & BR-CCC".

1. No review information on bottom of petition form.
2. No item number on petition form.

May 30, 1996

RE: PETITION FOR VARIANCE * BEFORE THE
3517 Bay Drive, S/S Bay Drive, 772' W *
of c/ Chesapeake Road, 15th Election *
District, 5th Councilmanic * ZONING COMMISSIONER
* OF BALTIMORE COUNTY
Legal Owner(s): Mary S. Zamostny, et al. *
Contract Purchaser: John V. Goldian *
Petitioners * CASE NO. 96-465-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore Coun

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 27th day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to Mary S. Zamostny, 8621 Silver Knoll Drive, Perry Hall, MD 21128, representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

#463

TO: Director Office of Planning & Community Conservation
Attn: Evan Madhava
County Courts Bldg, Room 406
401 Bostey Av
Towson, MD 21204

FROM: Arnold Jablon, Director, Department of Permits & Development Management

RE: Underized Lots
Pursuant to Section 304.2 (Baltimore County Zoning Regulations) effective June 25, 1992, this office is requesting recommendations and comments from the Office of Planning & Community Conservation to this office's approval of a rezoning petition.

POTENTIAL APPLICANT SUBMITTING INFORMATION:

John V. Goldfar 5712 Williams Rd., Hydes, Md 21082 410-572-9123
Full Name or Legal Name Address Telephone Number

Lot Address 3617 Bay Drive Election District 15 Council District 5 Square Feet 12,700
Lot Location W 150' side-center at Bay Drive 772 feet from N.E.S. Corner of Capeague Road
(Map or Sketch) (Street)

Last Owner Strobing C. Bonelli, deceased's Brother Tax Assessment Number 18-2570010
Address 7021 Silver Knoll Dr Telephone Number 301-344-9
Perry Hall Md.

☐ CHECKLIST OF MATERIALS: to be submitted for design review by the Office of Planning & Community Conservation

PRODIED?

	YES	NO	Residential Planning Fee Paid County C&C \$ 600 (25%)
1. This Recommendation Form (2 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Assessed by <u>NA</u>
2. Permit Application	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Date <u>5-15-93</u>
3. Site Plan <u>Property</u> (2 copies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<u>"NO" VAC</u> (minimum 4 ft. (24' x 31') <u>Specimen</u> (min. 1/4" depth)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
4. Utility Erosion Drawings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5. Photographs (owner's set of 6 prints each) <u>4x6" 8-10 copies</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
6. Survey/Agreement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

☒ **Approval** ☐ **Disapproval** ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: Ernie McDaniel
for the Director, Office of Planning & Community Conservation
Revised 9/3/95

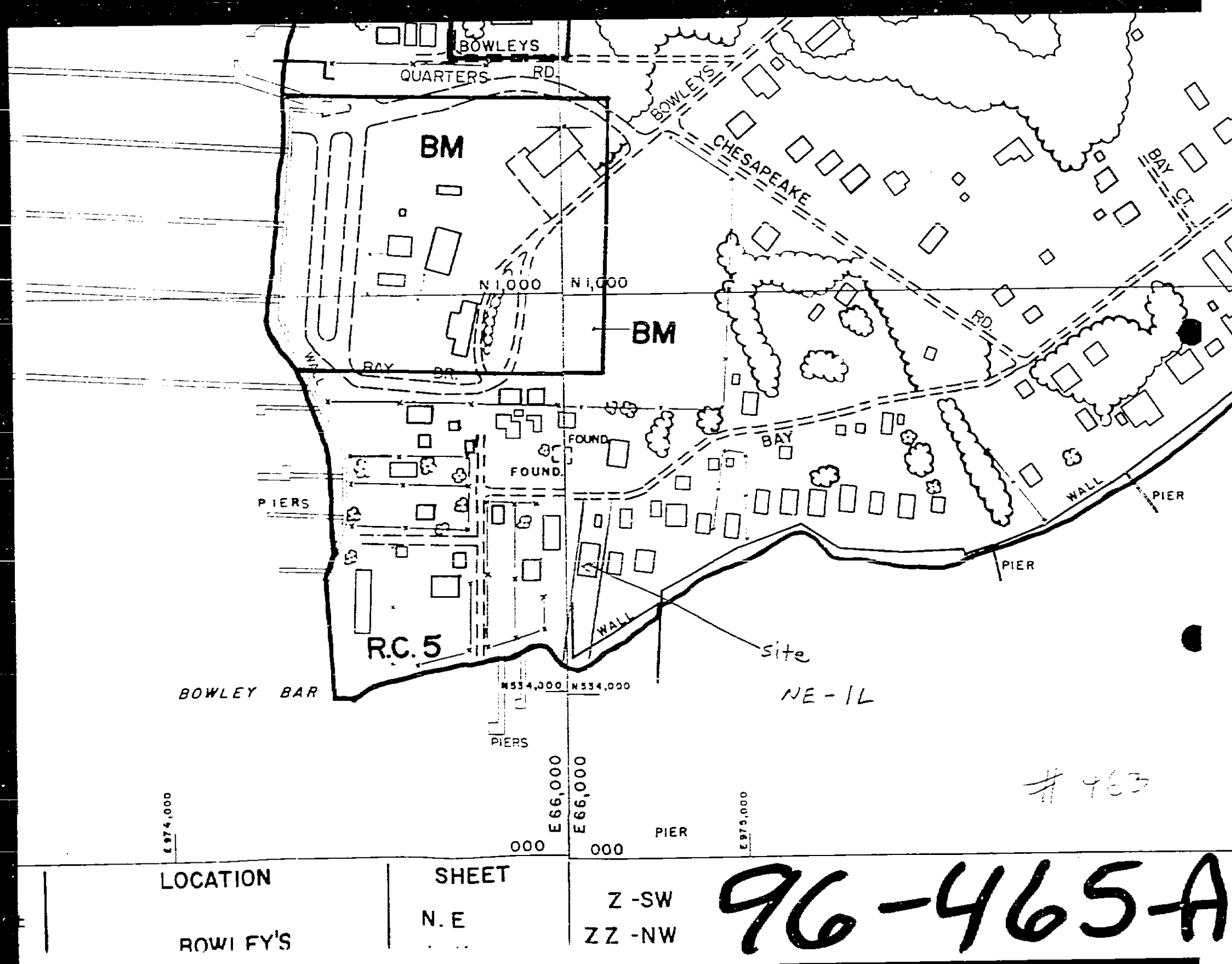
Date: May 31, 1994

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

☐ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:

Signed by: _____
for the Director, Office of Planning & Community Conservation
Revised 9/5/95



96-465-A

Stony Point
view - from water

lost # 14. Taken
can buy share

7 years to nine
series:



96-465-A
8 panoramic series, lot # 17
front view from water at lot # 16



9 panoramic series



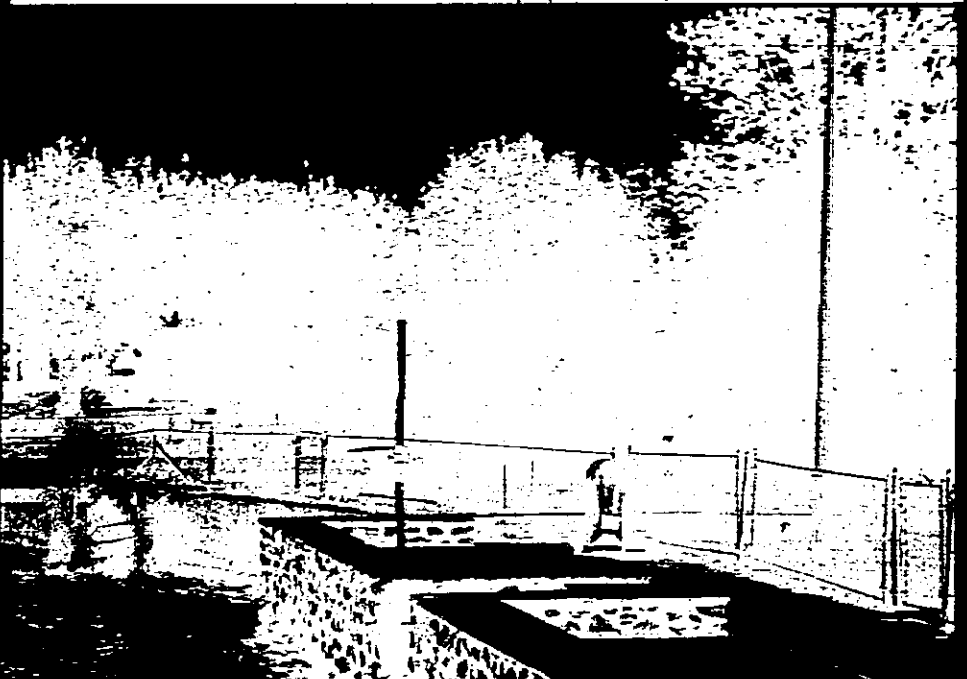
4 panoramic series



96-465-A
6 panoramic series



5 panoramic series



2 panoramic series



96-465-A
1 panoramic series, Top of Bay's Point



3 panoramic series



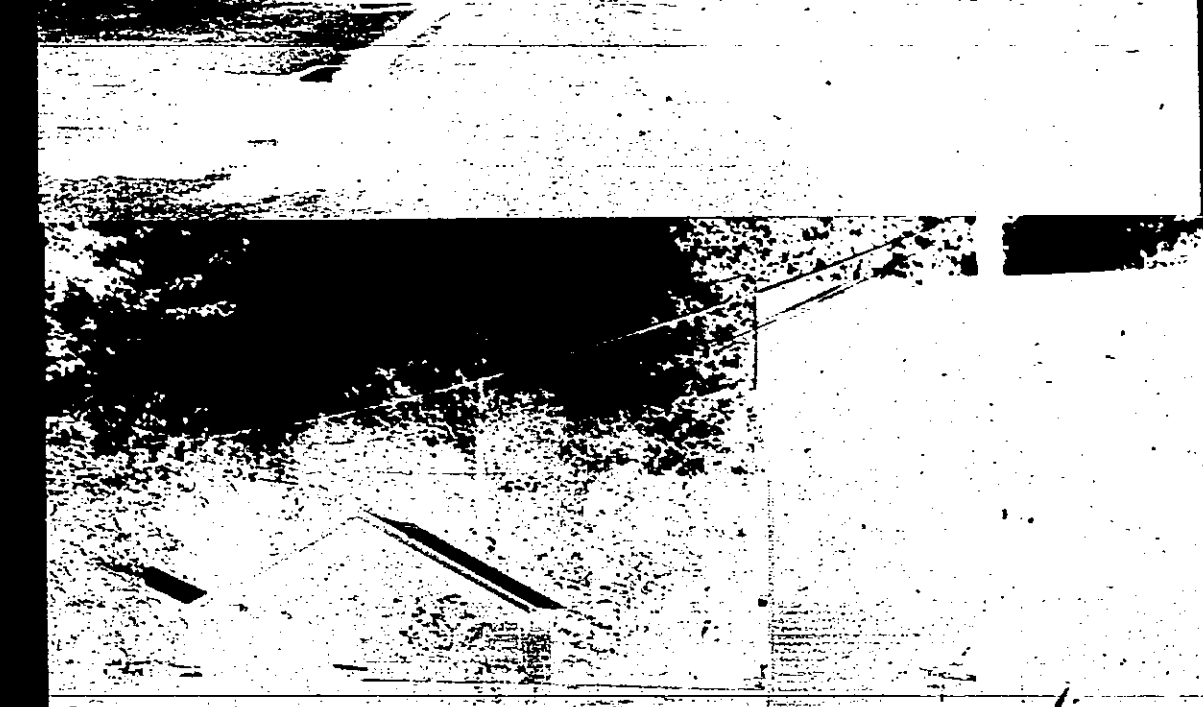
10 panoramic series, lots 18, 19, 20, 21



96-465-A
lot # 33
from Bay Drive - recent except for small shed



Turn onto Bay Drive @ lot # 16, looking west



from center of Bay Drive @ lot # 16 looking East



96-465-A

lot # 11

lot # 11 from Bay Drive

lot # 11 from Bay Drive



96-465-A

lot # 17, 18, 19, 20, 21

lot # 21

lot # 20

96-465-A



Lot 22



Lot 24



Lot 25

96-465-A



Lot 23



Lot 26



view from end
Bay Dr. toward
Lot #18

96-465-A



Lot #17



Lot #19



Lot #15

96-465-A



Lot #13
from Bay Drive



Lot #13
taken from Bay
Drive



Lot 4

96-465-A



between #4 and
#5



Lot #5



Lot 10

96-465-A



Lot #16 from Bay
Drive (Taken at
an angle because
trees obstructing
view)

Lot #12

BA'

CHESAPEAKE

CREEK

GALLOWAY

PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS BY DATE		SCALE 1" = 200'	LOCATION BOWLEYS QUARTERS	SHEET N.E. I-L
Topography Compiled by Photogrammetric Methods ADAMS AERIAL SURVEY CORP. USING MIC.		DATE OF PHOTOGRAPHY DEC 1954	# 460	

MICROFILMED